

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
NORTHERN DIVISION
No. 2:11-CR-26-BO

SHAWN KENYATTA BEAMON,)
 Petitioner,)
)
 v.)
)
UNITED STATES OF AMERICA,)
 Respondent.)
)

ORDER


This cause comes before the Court on petitioner's motion to be exempted from court fines [DE 121]. The government has responded in opposition, and the matter is ripe for ruling.

Petitioner was sentenced to a term of 160 months' confinement in the Bureau of Prisons on September 18, 2012. As a part of that judgment, he was ordered to pay a special assessment of \$100 and a \$1,000 fine. Petitioner has paid his special assessment, but has not fully paid his fine. He has now moved for relief from that part of his judgment.

In his motion, petitioner cites 18 U.S.C. § 3013(c), which establishes that the obligation to pay a special assessment only lasts for five years. Five years have elapsed since the entry of judgment against him, but petitioner has paid his special assessment. He has also paid \$200 towards satisfying his fine, but has not paid it in full. Unlike a special assessment, a fine is a part of the final judgment. The Court, absent limited circumstances, does not have the authority to amend a judgment after it is made final. 18 U.S.C. § 3582(c)(2); *Dillon v. United States*, 560 U.S. 817, 824-25 (2010). Those limited circumstances are not present here, and petitioner has not cited any authority that would support his motion.

Petitioner's judgment cannot be amended in this way, and so his motion [DE 121] is DENIED.

SO ORDERED, this 9 day of July, 2018.


TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE